

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

Order of Restitution

v.

EVA CHRISTINE RODRIGUEZ and
SERGIO LORENZO RODRIGUEZ,

20 Cr. 513 (AT)

Defendants.

Upon the application of the United States of America, by its attorney, Damian Williams, United States Attorney for the Southern District of New York, Sarah Lai, Assistant United States Attorney, of counsel; the presentence investigation report; the defendants' convictions on Count Two of the Indictment; and all other proceedings in this case, it is hereby ORDERED that:

1. Amount of Restitution

EVA CHRISTINE RODRIGUEZ and SERGIO LORENZO RODRIGUEZ, the defendants, shall pay restitution in the total amount of **\$2,052,200.25**, pursuant to 18 U.S.C. § 3663A, to the victims of the offense charged in Count Two. Defendants must pay interest on restitution, unless the restitution or fine is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). The names, addresses, and specific amounts owed to each victim are set forth in the Schedule of Victims, attached hereto as Schedule A. Upon advice by the United States Attorney's Office of a change of address of a victim, the Clerk of Court is authorized to send payments to the new address without further order of this Court.

A. Joint and Several Liability

Restitution is joint and several as to EVA CHRISTINE RODRIGUEZ and SERGIO LORENZO RODRIGUEZ. The defendants' liability to pay restitution shall continue unabated

until either the defendants have paid the full amount of restitution ordered herein, or every victim in Schedule A has recovered the total amount of each loss from the restitution paid by the defendants.

B. Apportionment Among Victims

Pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid before the United States is paid. Restitution shall be paid to the victim(s) identified in the Schedule of Victims, attached hereto as Schedule A, on a pro rata basis, whereby each payment shall be distributed proportionally to each victim based upon the amount of loss for each victim, as set forth more fully in Schedule A.

2. Schedule of Payments

Pursuant to 18 U.S.C. § 3664(f)(2), in consideration of the financial resources and other assets of the defendants, including whether any of these assets are jointly controlled; projected earnings and other income of the defendants; and any financial obligations of the defendants; including obligations to dependents, the defendants shall pay restitution in the manner and according to the schedule that follows:

In the interest of justice, restitution will be payable in installments pursuant to 18 U.S.C. § 3572(d)(1) and (2), as follows:

- a. EVA CHRISTINE RODRIGUEZ will commence monthly installment payments of at least five percent of her gross income, payable on the 15th of each month, to commence 60 days after the date of judgment.
- b. SERGIO LORENZO RODRIGUEZ will commence monthly installment payments of at least five percent of his gross income, payable on the 15th of each month, to commence 60 days after the date of his release from prison.

These schedules are without prejudice to the Government taking enforcement actions, pursuant to 18 U.S.C. § 3613, to the extent warranted.

3. Payment Instructions

The defendants shall make restitution payments by certified check, money order, or online. Instructions for online criminal debt payments are available on the Clerk of Court's website at <https://nysd.uscourts.gov/payment-information#PaymentofCriminalDebt>. Checks and money orders shall be made payable to the "SDNY Clerk of Court" and mailed or delivered to: United States Courthouse, 500 Pearl Street, New York, New York 10007 - Attention: Cashier, as required by 18 U.S.C. § 3611. The defendants shall write his or her name and the docket number of this case on each check or money order.

4. Change in Circumstances

Each defendant shall notify, within 30 days, the Clerk of Court, the United States Probation Office (during any period of probation or supervised release), and the United States Attorney's Office, 86 Chambers Street, 3rd Floor, New York, New York 10007 (Attn: Financial Litigation Program) of (1) any change of the defendant's name, residence, or mailing address or (2) any material change in the defendant's financial resources that affects the defendant's ability to pay restitution in accordance with 18 U.S.C. § 3664(k).

5. Term of Liability

The defendants' liability to pay restitution shall terminate on the date that is the later of 20 years from the entry of judgment or 20 years after the defendants' release from imprisonment, as provided in 18 U.S.C. § 3613(b). Subject to the time limitations in the preceding sentence, in the event of the death of the defendants, the defendants' estates will be held responsible for any unpaid balance of the restitution amount, and any lien filed pursuant to 18 U.S.C. § 3613(c) shall continue until the estates receive a written release of that liability.

6. Sealing

Consistent with 18 U.S.C. §§3771(a)(8) & 3664(d)(4) and Federal Rule of Criminal Procedure 49.1, to protect the privacy interests of victim(s), the Schedule of Victims, attached hereto as Schedule A, shall be filed under seal, except that copies may be retained and used by or disclosed to the listed victims, the Government, the investigating agency, the Clerk's Office, and the Probation Office, as needed to effect and enforce this Order, without further order of this Court.

SO ORDERED.

Dated: April 14, 2023
New York, New York



ANALISA TORRES
United States District Judge